

January 14, 2000

Mr. John Berry
Assistant Interior Secretary
U.S. Department of Interior
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Aloha again, Keoni (Mr. Berry),

Mahalo nui loa for your important role and kuleana (responsibility) that rests on your shoulders in your position to kokua (help) bring about reconciliation efforts with our Native Hawaiian people, in regards to Public Law 103-150, in which you were here to observe programs established to benefit native Hawaiians, like the U.S. Statutes at Large containing the Laws and concurrent Resolutions enacted by 86th Congress ("Congress Law"), Admission Act (1959) [compact with the U.S. in § 4 and 5(f)].

It is unquestioned that the Governor of Hawaii illegally overthrew Congress Law pursuant to Admission Act § 5(b) and 5(f) "The State is restricted by provisions of said grant under 'Public lands'." The disposition of any such lands and the income therefrom shall be held by said State as a public trust for the support of the conditions of native Hawaiians, as defined in the Hawaiian Homes Commission Act of 1920.

The Governor and The University of Hawawii in 1976 to the present, are using 5(f) lands for purposes which benefit Corporations, rather than the beneficiaries of 5(f). Little, or no compensation has been paid to the beneficiaries for such use under the public trust. (see attachments-Mauna Kea Science Reserve Master Plan..)

We hereby DEMAND you institute an investigation of The Trust established, pursuant to 5(f), American Federalism. The United States ("U.S.") is the party vested with the authority to investigate programs to benefit Native Hawaiians (which is the subject matter) and sue for "breach of trust" or prosecute for criminal acts of State officials, on behalf of the beneficiaries of The Trust, pursuant to the above authority, 5 USC §702-706 and The Admission Act at §5(f).

It is an undisputed fact of history that Native Hawaiians have suffered continual and increasing deprivation and disease as a result of and following the 1893 overthrow of the Hawaiian Kingdom, and it still continues today, as provided above and below. See, e.g., the June 23, 1983, report of the Native Hawaiians Study Commission established

by Title III §301-307 of Public Law 96-565 of December 22, 1980, 94 Stat. 3323-3326, to study the culture, needs and concerns of Native Hawaiians.

The Bearer of this letter, Anakura Melemai and members of Mauna Kea Lele, who are victims of the State's said genocide acts upon lands (1.8 million) [see Apology Bill] will provide information and documentation to you or your representatives which will substantiate the continuing violations.

We have exhausted all available remedies for redress of the violations with appropriate state and federal elected officials. Your agency and the office of the U.S. Attorney are the appropriate ones to investigate and stop the continuing violations on this subject.

Mahalo nui loa for your kuleana (responsibility) to address these very pertinent concerns in which Native Hawaiian benefits and rights have been ignored, violated. Please respond to my letter within 22 working days, upon receipt of this letter. Looking forward to working with you.

Aloha Na Akua,

Anakura Melemai

Anakura Melemai

for Mauna Kea Lele members

cc: Group 70 International (Mauna Kea Science
Reserve Master Plan)
University of Hawaii Regent